

JOAQUIN IRWIN FOY,)
)
 Petitioner,)
)
 v.) Case No. 12-3463-CV-S-GAF-H
)
 U.S. ATTORNEY GENERAL ERIC HOLDER,)
 BARACK OBAMA, U.S. GOVERNMENT,)
 and WARDEN LINDA SANDERS,)
)
 Respondents.)

Pursuant to the governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri, the petition herein for a writ of habeas corpus was referred to the United States Magistrate for preliminary review under the provisions of 28 U.S.C. § 636(b).

Petitioner has had a full and fair opportunity to challenge the Magistrate's recommended findings of fact, conclusions of law, and proposed action. Petitioner has failed to state or show any facts or legal principles that would create a genuine issue of material fact or warrant correction of the legal principles applied by the Magistrate. No further proceedings will therefore be required in this case.

Therefore, after a *de novo* review of the report and recommendation and the files and records in this case, it is concluded that the findings of fact, conclusions of law, and proposed actions of the Magistrate are correct and should be approved.

IT IS THEREFORE ORDERED that petitioner be, and he is hereby, denied leave to proceed *in forma pauperis*;

IT IS FURTHER ADJUDGED that the petition herein for a writ of habeas corpus be, and it is hereby, **DISMISSED with prejudice**.

IT IS FURTHER ORDERED that all pending motions be **DENIED** as moot.

IT IS SO ORDERED.

s/ Gary A. Fenner
GARY A. FENNER, JUDGE
UNITED STATES DISTRICT COURT

DATED: September 4, 2013